

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ROBERT E. BROCK, et al.,

Plaintiffs,

v.

CONCORD AUTOMOBILE DEALERSHIP
LLC, et al.,

Defendants.

Case No. 14-cv-01889-HSG

**ORDER VACATING HEARING AND
DIRECTING THE PARTIES TO FILE
SUPPLEMENTAL BRIEFING**

Re: Dkt. Nos. 81, 82

Pending before the Court are two motions to dismiss certain causes of action alleged in the Plaintiffs' Third Amended Complaint—one filed by Lexus of Concord, James, and Torian, and another filed by Miliano. *See* Dkt. Nos. 81 and 82. The Defendants noticed a hearing on their motions for September 3, 2015. The Court **VACATES** that hearing date.


The parties are ordered to provide supplemental briefing on the following topics, with citations to specific California cases adjudicating each question:

- When allegations in an amended pleading "relate back" to previous pleadings;
- Whether a plaintiff has stated a claim for loss of consortium.

The parties are advised that the Court is interested in a discussion of decisions that apply the relevant legal standard to cases involving facts similar to those at issue in this action, not decisions that simply pronounce that legal standard. The parties must file their supplemental briefs by no later than **September 18, 2015**, which may be no longer than five pages in length. The Court will consider whether to reschedule the hearing after it receives the parties' submissions.

IT IS SO ORDERED.

Dated: August 31, 2015


HAYWOOD S. GILLIAM, JR.
United States District Judge